# United States Court of Appeals for the Second Circuit



## APPELLANT'S APPENDIX

## 75-1233

To be argued by MICHAEL YOUNG

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appellee,

-against-

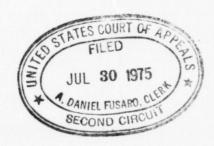
DAVID HERNDON,

Appellant.

Docket No. 75-1233

APPENDIX TO APPELLANT'S BRIEF

ON APPEAL FROM A JUDGMENT
OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK



Of Counsel.

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DAVID HERNDON
FEDERAL DEFENDER SERVICES UNIT
509 United States Court House
Foley Square
New York, New York 10007
(212) 732-2971

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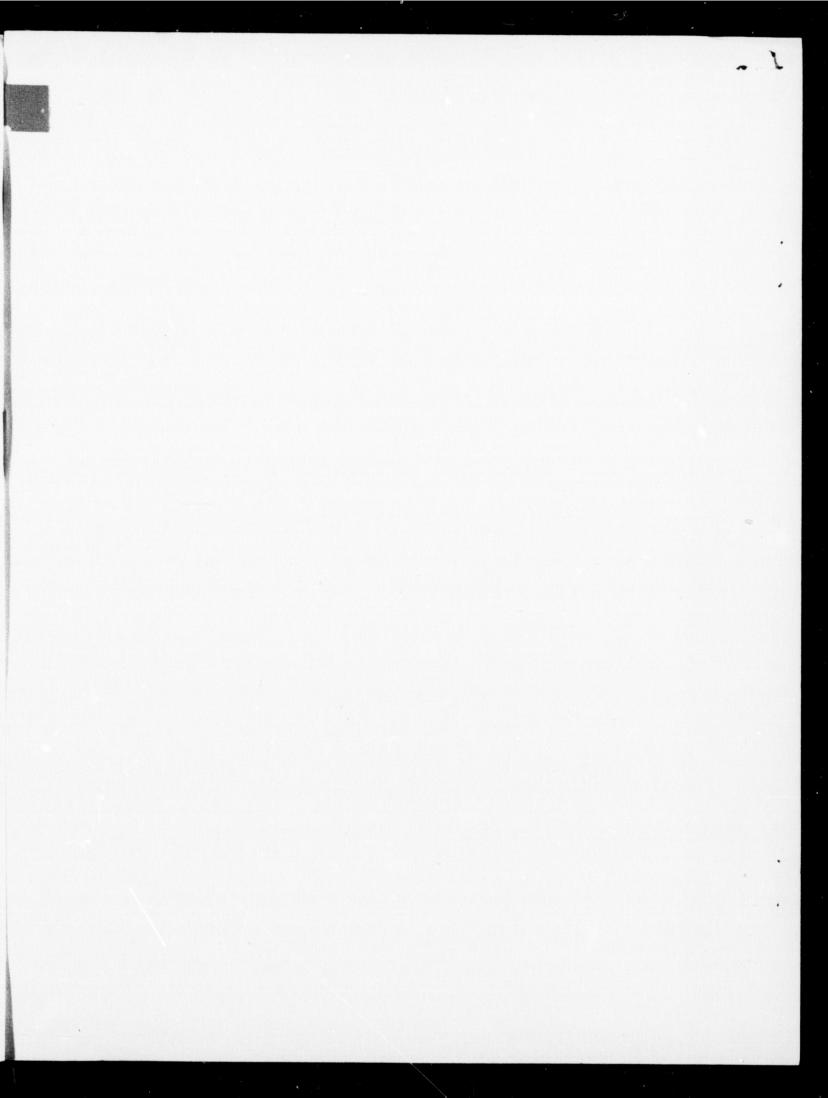
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> UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA.

-against-

DAVID HERNDON,

Defendant.

THE GRAND JURY CHARGES:

### COUNT ONE

75CR 192

SUPERSEDING INDICTMENT

Cr. No. (T. 18, U.S.C., §2113(a))



On or about the 28th day of October, 1974, within the Eastern District of New York, the defendant DAVID HERNDON did knowingly, wilfully and feloniously, by force, violence and intimidation attempt to take from the person and presence of employees of the Greater New York Savings Bank, 55 Flatbush Avenue, Brooklyn, New York, a sum of United States currency, which money was in the care, custody, control, management and possession of the said bank, the deposits of which bank were then and there insured by the Federal Deposit Insurance Corporation. (Title 18, United States Code, Section 2113(a)).

### COUNT TWO

On or about the 28th day of October, 1974, within the Eastern District of New York, the defendant DAVID HERNDON did knowingly and wilfully enter, with the intent to commit a larceny, the Greater New York Savings Bank, 55 Flatbush Avenue, Brooklyn, New York, the deposits of which bank were then and there insured by the Federal Deposit Insurance Corporation. (Title 18, United States Code, Section 2113(a)).

A TRUE BILL.

FOREMAN

DAVID G. TRAGER

UNITED STATES ATTORNEY

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DAVID HITCHEL,

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THE GRAND JURY CHARGES:

On or about the 10th day of Corober, 1974, within the Eastern District of Now York, the Asternant Dayle Limits Cid Rhowleyly, willially and Infordauctly, by force, violence and inti-dation actuart to take from the person and presence of copies and the Colabor Was York Savings Bank, 55 thatours a mean, a soultant of York, a sur of United States Cambridge, vision to by was an less take, custody, control, management and placement of the said Dank, the deposite of which Labor vise than add to be insured by Federal Deposite Taburance Corporation. (Citta 18, United States Code, section 2113(a)).

A TRUE BILL.

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#### CERTIFICATE OF SERVICE

7/30,1975

I certify that a copy of this brief and appendix has been mailed to the United States Attorney for the Eastern District of New York.

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